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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 002439

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SUBJECT: MOJ AL-SAFI "SHOCKED" BY WOMEN'S PRISON

REF: A. BAGHDAD 2113  
[1](#)B. BAGHDAD 2396

Classified By: Deputy PolCouns Steven Walker for reasons 1.4 (b) and (d)  
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[1](#)1. (C) SUMMARY: Acting Minister of Justice Safa al-Safi accompanied an MNF-I and Embassy inspection visit on August 2 to Kadhamiya Maximum Prison and Kadhamiya Women's Prison in Baghdad. At Kadhamiya Maximum, a high-value detainee prison that is monitored by ICITAP officials five days a week, al-Safi spent most of his time talking to detainees and advising them to report any human rights violations to the warden and the ministry. He ordered the warden to uphold human rights standards and improve on some conditions at the facility. At the women's prison, al-Safi was "shocked and appalled" at the dilapidated conditions and did not think the building could even be renovated. He approved the transfer of the female detainees to the secure compound in the Rusafa Rule of Law Complex (ref A). After some minor projects at the new site are completed, the female detainees can move to the safer site. END SUMMARY.

[1](#)2. (C) Acting Minister of Justice Safa al-Safi and Ministry of Human Rights (MoHR) officials accompanied General Cooper, MNF-I officials, ROL official, and PolOff on August 2 to inspect the Kadhamiya Maximum Prison and Kadhamiya Women's Prison in Baghdad. Al-Safi was assertive during the visit, harshly questioning the wardens and the staff, and conducting physical inspections. He made it clear that the Ministry of Justice (MoJ) has complete control over its detention facilities and would not tolerate outside intrusion. He told the wardens not to allow anyone inside the facilities except MoJ and MoHR teams. He accused the MoHR team of violating international law by taking pictures and only reporting on "negative findings." Although he acknowledged that conditions were poorer than he had believed was the case, he lamented that the MoJ receives blame for problems such as trial delays that are actually the fault of the Higher Judicial Council (HJC). (Note: The fault for trial delays is a contentious issue. Most sources believe there are two problems: a lack of Investigative Judges, an HJC issue, and inconsistent paperwork for each detainee, an MoJ problem. End Note.)

KADHIMIYA MAXIMUM: CONDITIONS GOOD BUT OVER-CAPACITY

[1](#)3. (C) Kadhamiya Maximum Prison is a heavily guarded maximum-security detainee prison that is monitored by International Criminal Investigative Training Assistance Program (ICITAP) officials five days a week. The overall conditions at Kadhamiya Maximum are satisfactory according to ICITAP officials compared to other GOI facilities. However, it is over capacity. It currently houses 400 post-trial detainees (but has capacity for only 250). 386 detainees are on death row, 12 are serving life sentences, and three are awaiting appeals. There are plans to expand the facility; one new 42-bed building is complete and awaiting the arrival of high-value detainees from MNF-I's Camp Cropper. The warden, Adel Hamed, who has been at the facility for over a year, is respected by ICITAP officials. He participated in

an EUJUST LEX training program in 2005 on senior management for prison officials. He maintains daily updates of detainee population numbers and a weekly schedule for exercise and other programming in his office.

¶4. (C) Al-Safi asked the warden if he faces any obstacles to running the facility, if human rights are upheld, if families are allowed to visit, if the Inspector General inspects the facility, and if he had any recommendations to improve the prison. (Comment: Al-Safi's questions were interesting, as they indicated a higher level of interest in the inspection than we had assumed. End Comment) The warden said that human rights standards are upheld although the over-capacity problem is a serious challenge. He also said that he has re-established family visits, and families regardless of sect can now visit twice a month. He acknowledged incidents of verbal abuse by two guards, which had been reported by MoHR teams, but said the guards had been transferred. The warden said the detainees receive adequate food and health care.

¶5. (C) During the physical inspection, al-Safi spent time with the detainees, asking them to share their problems without threat of reprisal. The detainees asked for improvements in medical care, including medicine for chronic diseases; more food; and faster judicial processes. One detainee reported an abuse case by one of the night guards, and the warden responded that the guard in question had been fired. Some third-country national detainees complained that they were not able to see their families. Al-Safi said he had already asked the Saudi Ministry of Justice if Saudi detainees could complete their sentences in Saudi Arabia, but he has not received a responses yet. Al-Safi was

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dissatisfied with the conditions at the medical clinic; it was lacking an examination bed and needed more funding from the Ministry of Health. The new building for the high-value detainees is modern with central air-conditioning, and each cell has bathroom facilities and no more than six beds. (Comment: It is unclear why this building cannot be used to ease overcrowding until the arrival of high value detainees. End Comment.)

#### KADHAMIYA WOMEN'S PRISON: SHOCKING CONDITIONS

¶6. (C) Kadhamiya Women's Prison is the only women's prison in Baghdad; there are currently 177 women and 16 children under the age of four. Of this group, 99 are awaiting trial, 78 have been sentenced, and 11 are on death row. It is located in the middle of a militia-controlled area and is believed to be infiltrated by militia members. Previous reporting has highlighted the facility's dilapidated condition and the use of the prison as a brothel at night. There are plans to transfer the women to a more secure site, "Rusafa 6B," within the Rusafa Rule of Law Complex as soon as minor improvements are completed to the new compound designated for female detainees (ref A).

¶7. (C) Al-Safi was "shocked" at the "appalling conditions" in the facility. He accused the warden of not doing his job, but gave him reprieve since he had only been the warden for a month. (Note: The previous warden was arrested in May on militia-affiliated accusations. (ref A) End Note.) Al-Safi, upon inspecting the food, towels, and health-care products, said they were all unacceptable. He was equally upset by the lack of good medical care and criticized the medical center, which had only one bed and appeared to lack medical supplies. The warden said there were delays in the judicial process, they needed more female guards, and he denied the reports of sexual abuse. Al-Safi said upon completion of the visit that the building was beyond repair and would have to be demolished and rebuilt into a new prison for male detainees. He confirmed twice that he had given Deputy Minister of Justice Posho permission to transfer the female detainees to the Rusafa Rule of Law Complex site.

¶8. (C) The building inspection confirmed earlier reports of disrepair. Every room had water damage on the ceilings, the facility was dirty, the floors were broken up, and there was no sign of air-conditioning. Children lived in the crowded cells with their mothers and lacked toys and baby products, such as milk and diapers. The detainees told al-Safi and PolOff separately that the food was unacceptable, there was not enough medicine, and there was no gynecologist. About half of the detainees in one of the cells said they had been abused at police stations but had not experienced problems at the prison. We did not visit the second floor; however, some officials went upstairs and were informed by detainees that Jaysh al-Mehdi (JAM) members and weapons were present there.

¶9. (C) COMMENT: The presence of al-Safi gave more weight to the inspection visit and with the prison managers and detainees than a visit conducted solely by USG officials. Al-Safi has been obstructionist to the USG in the past on various policies and projects; this newfound cooperation may be the result of USG assistance for the new 1500-bed Basrah Central prison and the increased sense of urgency raised by Barham Saleh at a July 27 meeting on improving detention facilities (ref B). Al-Safi's visit to the women's prison (his first) and his clear dismay at the poor conditions may catalyze improvements in MoJ detention facilities.  
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